

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

MWK RECRUITING, INC.,

Plaintiff,

v.

EVAN P. JOWERS,

Defendant.

1:18-CV-444-RP

EVAN P. JOWERS,

Counterplaintiff,

v.

MWK RECRUITING, INC., ROBERT E.
KINNEY, RECRUITING
PARTNERS GP, INC.,
KINNEY RECRUITING LLC,
COUNSEL UNLIMITED LLC, and KINNEY
RECRUITING LIMITED,

Counterdefendants.

ORDER

On November 12, 2019, the Court granted Plaintiff/Counterdefendant MWK Recruiting, Inc. (“MWK”) and Counterdefendants Robert E. Kinney (“Kinney”), Michelle W. Kinney, Recruiting Partners GP, Inc., Kinney Recruiting LLC, Counsel Unlimited LLC, and Kinney Recruiting Limited’s (collectively, the “MWK entities”) Opposed Expedited Motion for Issuance of a Preliminary and a Permanent Injunction (“Injunction Motion”). (Mot., Dkt. 102; Order, Dkt. 119).

Defendant/Counterplaintiff Evan P. Jowers (“Jowers”) appealed the Court’s order on November 19, 2019. (Dkt. 121). On November 6, 2020, the Fifth Circuit Court of Appeals vacated

the Court's order and remanded the MWK entities' Injunction Motion for further consideration and assessment by the Court in accordance with the Fifth Circuit's order. (Dkt. 222, at 9).

On December 15, 2020, the Court held a hearing by telephone with the parties to discuss the Fifth Circuit's judgment and mandate and the MWK entities' Injunction Motion. (*See* Dkt. 223; Dkt. 234). At the hearing, counsel for the MWK entities indicated they do not intend to pursue the motion, and the parties agreed there was no longer a dispute about the underlying matter of the injunction. Accordingly, the injunction remains vacated in accordance with the Fifth Circuit's judgment, and the Court will moot the MWK entities' Injunction Motion, (Dkt. 102), absent a request from one or all of the parties by filing the appropriate motion on or before **January 15, 2021**.

SIGNED on December 22, 2020.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE